

PS MAGISTRATE COURT  
GRG-SDTX  
FILED

MAY - 4 2015 3C

**David J. Bradley, Clerk**  
**Laredo Division**

Case No.

515m-1559-1

-2

- FPD  
DET/PE  
5/7/15

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 5/1/2015 in the county of WEBB in the Southern District of Texas, the defendant(s) violated:

### Code Section

### Offense Description

Title 21 U.S.C. 841(a)(1)

knowingly and unlawfully posses with the intent to distribute a controlled substance listed under Schedule I of the Controlled Substances Act, to wit, approximately 27.45 kilograms of cocaine

This criminal complaint is based on these facts:

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX SEE ATTACHMENT A XX

☒ Continued on the attached sheet.

Complainant

Complainant's signature

Special Agent Pedro Arizpe

Printed name and title

Sworn to before me and signed in my presence.

Date: 5/4/2015

Printed name and title

Gill Rha

*Judge's signature*

City and state: Laredo, Texas

Guillermo R. Garcia, U.S Magistrate Judge

Printed name and title

## ATTACHMENT A

On May 1, 2015, at approximately 8:20 PM, U.S. Border Patrol (USBP) Agent Eric Phillips was working his assigned duties at the IH-35 USBP checkpoint located in Webb County when a Volkswagen Jetta being driven by Maria Eugenia ROMERO-Martinez approached Agent's Phillips position at the primary inspection lane. Along with ROMERO-Martinez, was a passenger later identified as Erik SUAREZ-Rodriguez; boyfriend of ROMERO-Martinez. While Agent Phillips conducted his immigration inspection on ROMERO-Martinez and SUAREZ-Rodriguez, USBP canine handler Mourad Sbaa questioned ROMERO-Martinez regarding the vehicle and her travel itinerary. According to USBP Agent Sbaa, ROMERO-Martinez became nervous and changed her demeanor as well as her tone of voice when questioned by USBPA Agent Sbaa. Simultaneously, as Agent Sbaa questioned ROMERO-Martinez, Sbaa's service canine was alerting to the possible presence of concealed narcotics and/or humans in the vehicle. ROMERO-Martinez and SUAREZ-Rodriguez were referred to the secondary inspection area for further inspection.

While at secondary, USBP Agent Spaa conducted a secondary canine sweep of the vehicle to which his canine alerted to the passenger floor and rocker panel area of the Volkswagen Jetta. A further inspection of the aforementioned areas revealed fresh paint, plastic body filler, and a flat floor panel which is inconsistent with factory floorboards. Consequently, a total of 25, electrical taped-wrapped bundles, weighing approximately 27.45 kilograms, were discovered in the vehicles front floor area. The substance inside the 25 bundles tested positive for cocaine.

As a result, DEA Special Agents Pedro Arizpe and Joseph Jones responded to the IH-35 checkpoint to interview SUAREZ-Rodriguez ROMERO-Martinez. Prior to the commencement of the interview, SUAREZ-Rodriguez was provided his Miranda rights in the Spanish language to which he waived. SUAREZ-Rodriguez stated that he and his girlfriend of approximately 8 months, ROMERO-Martinez, crossed the U.S. Customs and Border Protection (CBP) International Bridge on April 30, 2015 in a different vehicle that belongs to Jose Guzman; boyfriend of one of ROMERO-Martinez's girlfriends. According to SUAREZ-Rodriguez, Guzman could only lend them the vehicle for one day so they traveled from Monterrey, Nuevo Leon, Mexico on April 30, 2015 to obtain a Department of Homeland Security (DHS) I-94 permit because they wanted to celebrate ROMERO-Martinez's birthday by traveling to San Antonio and Houston, Texas. According to SUAREZ-Rodriguez, ROMERO-Martinez spent her recent birthday in the hospital. She had always wanted to travel to Houston, Texas because she had never been there. To honor ROMERO-Martinez's birthday wish, they borrowed Jose Guzman's vehicle to travel to Laredo, Texas and obtain the I-94 permit, eat at the Olive Garden Restaurant, and then drive back to Monterrey, Nuevo Leon, Mexico. Interestingly, the day after, a friend of SUAREZ-Rodriguez, named Alejandro, supposedly offered SUAREZ-Rodriguez the Volkswagen Jetta because he knew from SUAREZ-Rodriguez that SUAREZ-Rodriguez and his girlfriend wanted to travel to Houston. SUAREZ-Rodriguez stated that he met Alejandro last year when SUAREZ-Rodriguez was working as a taxi driver.

According to SUAREZ-Rodriguez, he and his girlfriend where going to spend the night at a hotel in San Antonio, Texas before traveling to Houston, Texas the following morning. Furthermore, SUAREZ-Rodriguez stated that Alejandro was going to recommend a hotel in Houston, Texas in

where they could spend their weekend. When SUAREZ-Rodriguez was asked why they just did not wait to travel to Laredo, Texas once they had obtained the Volkswagen Jetta from Alejandro, he stated they figured they just did not make a one-day trip out of it since they could only borrow Jose Guzman's vehicle for one day. During the interview, agents noticed that SUAREZ-Rodriguez's cellular phone had approximately 20 missed calls from Alejandro. When SUAREZ-Rodriguez was asked about this, he stated that Alejandro was probably concerned about his Volkswagen Jetta, wanted to ensure that SUAREZ-Rodriguez knew the route to Houston, and just wanted to make sure SUAREZ-Rodriguez and his girlfriend were doing okay. Throughout the entire interview, SUAREZ-Rodriguez denied knowledge of the cocaine discovered in the Volkswagen Jetta.

Agents then interviewed ROMERO-Martinez. She was read her Miranda rights to which she waived. ROMERO-Martinez denied any knowledge of the cocaine. She basically provided the same story as to her relationship with SUAREZ-Rodriguez. She stated she had recently been in the hospital, that they had borrowed a vehicle from Juan Guzman a day prior to travel to Laredo Texas, and that she had always wanted to travel to Houston, Texas. According to ROMERO-Martinez, she was notified by SUAREZ-Rodriguez on May 1, 2015 that he had borrowed a car from Alejandro and that they would be taking the trip to Houston, Texas. She stated that on May 1, 2015, SUAREZ-Rodriguez picked her up at her residence in Monterrey, Nuevo Leon, Mexico and they proceeded to drive to the U.S. Similarly, ROMERO-Martinez's cellular phone had approximately 10 missed calls from Alejandro. According to ROMERO-Martinez, she has never met Alejandro and only had his telephone number because her cellular device has better reception in the U.S. than does SUAREZ-Rodriguez's. She claimed SUAREZ-Rodriguez had provided Alejandro ROMERO-Martinez's telephone number in case Alejandro could not contact SUAREZ-Rodriguez at his cellular phone.